

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2007 NOV 16 PM 12:30

CLERK L. J. J. J.  
SO. DIST. OF GA.

ROOSEVELT ANTHONY,

Plaintiff,

v.

JOHN E. POTTER, Postmaster  
General, United States Postal  
Service,

Defendant.

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CIVIL ACTION NO.  
CV 106-146

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O R D E R

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On November 1, 2007, the captioned matter was dismissed without prejudice for Plaintiff's failure to prosecute. Specifically, the record contained no evidence that he had effected service of process, despite being given ample opportunity since the filing of his complaint on September 18, 2006.

On November 2, 2007, this Court received a letter from the United States Attorney for the Southern District of Georgia, explaining that the United States Postal Service had been served on September 4, 2007; however, Plaintiff apparently failed to file a proof of service with the Court. Further, in response to this Court's show cause order of

October 11, 2007, Plaintiff sent a document entitled "SERVICE ORDER" to the local United States Postal Service office, again failing to file anything with this Court.

Under these circumstances, the Order of November 1, 2007 dismissing the case is hereby **VACATED**. Plaintiff is instructed to file his proof of service with the Clerk's office by November 30, 2007. Further, Defendant is hereby granted twenty (20) days from the date of this Order to file a responsive pleading to Plaintiff's complaint or any appropriate motion in lieu thereof.

**ORDER ENTERED** at Augusta, Georgia, this 16<sup>th</sup> day of November, 2007.

  
UNITED STATES DISTRICT JUDGE